ARA

EXCISE

Fact Sheet
Guyana Operation
Funding

Undated

1701

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Background

On Sunday, November 19, the U.S. Government faced a crisis situation in Guyana. An American Congressman had been killed as well as other Americans in his party. A settlement believed to include over 1,000 Americans was involved, and its situation was uncertain. It was fully apparent that the resources of the Government of Guyana were over-strained by these events in a isolated area 120 miles from its capital. Medical evacuation for the injured Americans was immediately authorized, and the U.S. Government offered whatever help the Government of Guyana might need to prevent further loss of life. The Guyanese indicated they needed helicoper lift and certain other items. As the events progressed, it became clear that there were large numbers of American dead. For a time, it was believed that there might be many survivors in the jungle, and the U.S. adjusted and increased its assistance to help the search by Guyana police and military, but few were found. When the large number of dead was clear, the operational requirements were to continue support of the ongoing investigation of serious crimes and to identify, treat with dignity, and remove the bodies as quickly as possible to a facility that could deal with this immense problem. Removal of the bodies was at the specific request of the Government of Guyana. Dover Air Force Base mortuary was determined to be the appropriate facility.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [signature] DATE 2/27/81
PORTIONS DENIED AS INDICATED

Authorization

In this unfolding and unprecedented calamity involving Americans in a foreign country, the President acted in his capacity as Chief Executive of the Government and as Commander-in-Chief of the Armed Forces. At the request of the Secretary of State, the Secretary of Defense ordered the resources of the Department of Defense to be made available. Other agencies performed their various functions under their several statutes. The State Department performed its diplomatic and consular duties under its normal statutes; the Justice Department conducted the necessary criminal investigation under its basic authorities, etc.

Since the tragedy occurred in a foreign country, Guyana, and that country requested assistance in handling the disaster, including the removal of the bodies from their country, the in-country assistance and the removal of the bodies from the country provided by the Department of Defense is the kind of function authorized for International Disaster Assistance by section 491 of the Foreign Assistance Act (22 U.S.C. 2292):

> "Sec. 491. Policy and General Authority.--(a) The Congress, recognizing that prompt United State assistance to alleviate human suffering caused by natural and manmade disasters is an important expression of the humanitarian concern and tradition of the people of the United States, reaffirms the willingness of the United States to provide assistance for the relief and rehabilitation of people and countries affected by such disasters.

(b) Subject to the limitation on appropriations in section 492, and notwithstanding any other provision of this or any other Act, the President authorized to furnish assistance to any foreign country or international organization on such terms and conditions as he may determine, for international disaster relief and rehabilitation, including assistance relating to disaster preparedness, and the prediction of, and contingency planning for, natural disasters abroad.

(c) In carrying out the provisions of this section the President shall insure that the assistance provided by the United States shall, to the greatest extent possible, reach those most in need of relief and rehabilitation as a result of natural and manmade disasters."

The assistance provided to Guyana was substantially in-kind services and goods. The appropriation of funds to the President delegated to the Secretary of State and the AID Administrator for International Disaster Assistance ($20 million for 1979) will be used to reimburse the Department of Defense for that in-kind assistance once the amounts have been determined.

Another available authority for this emergency is the Contingency Fund authorized by section 451 of the Foreign Assistance Act (22 U.S.C. 2261);

"Sec. 451. Contingency Fund. --

(a) There is authorized to be appropriated to the President for the fiscal year 1979 not to exceed $5,000,000 to provide assistance authorized by this part for any emergency purpose only in accordance with the provisions

with the provisions applicable to the furnishing of such assistance. Amounts appropriated under this section are authorized to remain available until expended.

(b) The President shall submit quarterly reports to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Speaker of the House of Representatives on the programming and obligation of funds under this section.

(c) No part of this fund shall be used to pay for any gifts to any officials of any foreign government made heretofore of hereafter.

$3 million was appropriated for this fund for 1979. The repair of the Guyanese aircraft that was shot-up in the attack on Congressman's Ryan's party has been authorized to be paid from this fund by AID. This was needed to restore civil air transport services to Guyana essential for its development.

Section 4 of the Act providing basic authority for the Department of State provides:

"Sec. 4. The Secretary of State is authorized to--

(a) make expenditures, from such amounts as may be specifically appropriated therefor, for unforeseen emergencies arising in the diplomatic and consular service and, to the extent authorized in appropriation Acts, funds expended for such purposes may be accounted for in accordance with section 291 of the Revised Statutes (31 U.S.C. 107); and

(b) delegate to subordinate officials the authority vested in him by section 291 of the Revised Statutes pertaining to certification of expenditures."

The repatriation of some of the survivors of the Guyana tragedy was accomplished under this authority for which $2,350,000 was appropriated for 1979.

Insert paragraph on costs at Dover

Costs

Every effort is being made to assemble data on the costs of the Guyana operations, but at this time final figures are not available. Current tabulation shows:

($ K)

Department of State

Department of Defense

Department of Justice

Department of H.E.W.

Agency for International Development

Repair for International Development 225

Total

These data include only extraordinary costs attributable to the operation; for example, the ordinary salaries and expenses of the consular officers in Guyana are not counted, since they would have been obligated whether or not there was the disaster.

The several agencies involved, together with the Office of Management and Budget, are continuing to examine the costs aspects of the operation and will make a full report of the costs to the Government when in a position to do so.

Also, the Department of Justice is examining the responsibilities of the People's Temple organization in regards to the costs and expects to pursue

any legal remedies available. Moreover, the obligations of the families of the deceased are being reviewed with a view to assuring that they share any appropriate part of the costs.

Add paragraph on disposition of the cash and other valuables found in Jonestown and their availability to defray costs to USG.

Future Events

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